

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

RANDAL R. HENSON and MID-DELTA
INSURANCE AGENCY, INC.

PLAINTIFFS

V.

CIVIL ACTION NO.: 4:11CV38-M-S

UNITED STATES LIABILITY INSURANCE
COMPANY AND CERTAIN UNDERWRITERS AT
LLOYD'S LONDON SUBSCRIBING TO PREVIOUS
POLICY NO. ME09523

DEFENDANTS

AND

CERTAIN UNDERWRITERS AT
LLOYD'S LONDON SUBSCRIBING TO PREVIOUS
POLICY NO. ME09523

COUNTER-
PLAINTIFF

V.

RANDAL R. HENSON, MID-DELTA
INSURANCE AGENCY, INC., REPUBLIC FIRE
AND CASUALTY INSURANCE COMPANY, MARK
AZLIN, AND THE BOURBON MALL, INC.

COUNTER -
DEFENDANTS

ORDER

THIS MATTER, having come before the court on Defendant Certain Underwriters at Lloyd's, London's Motion to Stay Discovery and Motion for Protective Order (Doc. 44) and Motion to Quash and Motion for Protective Order (Doc. 45), and the Court having held a telephonic hearing on the matters on January 26, 2012, and having thoroughly considered the submissions of the parties, the record and the applicable law, it is hereby ordered:

Consistent with the court's oral ruling at the conclusion of the hearing, Defendant Lloyd's Motion to Stay and Motion for Protective Order (Doc. 44) is DENIED. However, Defendant Lloyd's Motion to Quash and Motion for Protective Order (Doc. 45) is GRANTED in part and DENIED in part. The motion is denied with respect to any documents for which Lloyd's does not claim a privilege. However, because the court does not have sufficient information before it to make

a determination regarding Lloyd's claims of privilege with regard to certain documents in the hands of PCM, PCM will not be required to produce those documents in response to Republic's subpoena without further order of this court. Instead, counsel for Lloyd's and counsel for Republic and/or PCM shall have 14 days from this date to confer regarding Lloyd's objections to production of said documents under a claim of privilege, and prior to said conference, Lloyd's shall produce a privilege log that complies with the Federal Rules of Civil Procedure. Lloyd's shall have 21 days from this date to file a motion for protective order with regard to any documents for which the parties cannot reach an agreement.

SO ORDERED this the 26th day of January, 2012

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE